

10/509760

Patent

Attorney's Docket No. 016800-699

DT09 Rec'd PCT/PTO 30 SEP 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
Philippe CATROUX *et al.* )  
Application No.: Unassigned )  
National Phase Filing of )  
Int'l. Application No. PCT/FR02/03693 )  
Filed: Herewith )  
For: Cosmetic Composition That Mimics )  
Sebum and Use Thereof )

REPLY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified application became unintentionally abandoned and, thus, a  
Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R.  
§ 1.137(b) is filed herewith.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

1. Please find enclosed the Petition fee of \$1,330.00 (37 CFR 1.17(m)).
2. A copy of the translated international application.
3. Filing Fee of \$1,236.00 (37 CFR 1.482).
4. Unexecuted Oath/Declaration.
5. Preliminary Amendment

If any issues remain, the Examiner is encouraged to telephone the undersigned at  
the below-listed number.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(D) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: September 30, 2004

By: \_\_\_\_\_

Teresa Stanek Rea  
Registration No. 30,427

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

VA 391407.1

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE <b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 016800-699 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/509760</b> NEW APPLICATION
INTERNATIONAL APPLICATION NO. PCT/FR02/03693	INTERNATIONAL FILING DATE October 28, 2002	PRIORITY DATE CLAIMED October 30, 2001
TITLE OF INVENTION  COSMETIC COMPOSITION THAT MIMICS SEBUM AND THE USE THEREOF		
APPLICANT(S) FOR DO/EO/US Philippe CATROUX et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).  Items 11 to 21 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. 14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <u>Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137 (b); unexecuted Declaration and Power of Attorney; and copy of International Search Report.</u> 21. <input type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: _____ _____ _____ _____		

U.S. APPLICATION (Not known by PTO) New Application		INTERNATIONAL APPLICATION NO. PCT/FR02/03693		ATTORNEY'S DOCKET NUMBER 016800-699	
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22. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**  
 Neither international preliminary examination fee (37 CFR 1.482)  
 nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
 and International Search Report not prepared by the EPO or JPO . . . . . \$1,080.00 (1611)  
 International preliminary examination fee (37 CFR 1.482) not paid to  
 USPTO but International Search Report prepared by the EPO or JPO . . . . . \$920.00 (1613)  
 International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
 but International search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$770.00 (1610)  
 International preliminary examination fee (37 CFR 1.482) paid to USPTO  
 but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$730.00 (1609)  
 International preliminary examination fee (37 CFR 1.482) paid to USPTO  
 and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00 (1612)

**ENTER APPROPRIATE BASIC FEE AMOUNT =** \$ 920.00

Surcharge of **\$130.00 (1617)** for furnishing the oath or declaration later than ☐ 20 ☐ 30  
 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	28	-20 =	8	x \$18.00 (1615)	\$ 144.00
Independent Claims	5	-3 =	2	x \$86.00 (1614)	\$ 172.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$290.00 (1616)	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 1,236.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					+ \$ 0.00
<b>SUBTOTAL =</b>					\$ 1,236.00
Processing fee of <b>\$130.00 (1618)</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$ 0.00
<b>TOTAL NATIONAL FEE =</b>					\$ 1,236.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (8021)</b> per property +					
<b>TOTAL FEES ENCLOSED =</b>					\$ 1,236.00
					Amount to be refunded :
					charged :

22. ☒ The following fees are submitted:

a. ☒ A check in the amount of \$ 1,236.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

d. ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Burns, Doane, Swecker & Mathis, L.L.P.  
 P.O. Box 1404  
 Alexandria, Virginia 22313-1404  
 (703) 836-6620

SIGNATURE

Teresa Stanek Rea

NAME

30,427      September 30, 2004

REGISTRATION NO.      DATE